

NOV - 6 2007

**JEANNE G. QUINATA**  
Clerk of Court

**LAW OFFICE OF PARK**  
East-West Business Center, Suite 113  
744 N. Marine Corps Drive  
Upper Tumon, Guam 96913  
Tel: (671) 647-1200  
Fax: (671) 647-1211  
Attorney for Defendant

**IN THE UNITED STATES  
DISTRICT COURT OF GUAM  
TERRITORY OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**XIAO JIAN YANG**

Defendant.

CRIMINAL CASE NO.

CR 04-00011-002

**DEFENDANT'S RESPONSE TO  
ORDER TO SHOW CAUSE**

Defendant **XIAO JIAN YANG**, hereby responds to Order to Show Cause why supervised release conditions should not be revoked as follows:

1. At the time of her sentencing on September 1, 2004, Defendant did not fully understand the requirement of reporting to her probation officer.

2. After her deportation proceeding was over on October 29, 2004, her immigration lawyer in Hawaii told her that she did not have to report to any government agency.

3. Defendant genuinely believed that she did not have to appear to begin supervision release term on November 1, 2004.

4. Upon the request of the government, she and her husband cooperated with the government on November 9, 2005. ( Fact Witness Voucher, Exhibit 1)

5. Defendant recently opened a business on Guam and also purchased a condominium on Guam. (Business License under Defendant's Name and Affidavit of Acquisition of Property, Exhibit 2)

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**ORIGINAL**

1           6.       If it is to begin supervision release term from now on, Defendant shall keep her  
2 appointments with her probation officer and stay in contact with her probation officer, and comply  
3 with all other conditions of her probation for this case to be ultimately concluded.  
4

5           Dated this 6<sup>th</sup> day of November 5, 2007.  
6

7                   LAW OFFICE OF PARK  
8                   Counsel for Defendant

9                   BY:   
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Washington, D.C. 20530

U.S. MARSHALS-GUAM  
RECEIVED

# Fact Witness Voucher

THIS IS A 4-PART FORM. FILL OUT FORM AND PRINT 4 COPIES, SIGN AS NEEDED AND ROUTE AS SPECIFIED BELOW.

23 NOV 2005 14 00 01  
U.S. MARSHALS-GUAM  
RECEIVED

Check One:

- ☐ (was) ☒ (was not) a United States citizen at the time of attendance  
☐ (was) ☒ (was not) a Federal Government employee at the time of attendance  
☐ (did) ☒ (did not) receive a cash or check advance.

Total advance issued: \$ \_\_\_\_\_ From: \_\_\_\_\_

|  |              |   |
|--|--------------|---|
| Witness Name: <b>YANG XIAD JIAN</b>                    |              | Court Doc. No: <b>05-00083</b>  |
| Social Security Number: <b>[REDACTED] 5426</b>         |              | Case Name: <b>USA v. Jin Mu, et al.</b>                                       |
| Address: <b>P.O. Box 315886</b>                        |              | District: <b>Guam</b>   |
| City: <b>TAMUNING</b>                                  | State: _____ | Zip: <b>96931</b>   |
| Telephone No. (including area code): <b>[REDACTED]</b> |              | Court Location: <b>Guam</b>   |
|  |              | GTA: <input type="checkbox"/> Transportation <input type="checkbox"/> Lodging |

| PART I - Attendance Certification (by Government Official)<br>(Retention of these fees is considered taxable income and reportable to IRS)  |                      | Object Class   | Amounts (Dollars)<br>(To be completed by US Marshals) |
|---|----------------------|--|---|
| <b>A. Attendance Fees</b>   |                      |  |   |
| Deposition Dates _____  | \$40 @ _____ days    | 1126   |   |
| Grand Jury/Trial Attendance Date (Including Travel) <b>11/9/05</b>  | \$40 @ <b>1</b> days | 1156   | <b>40.00</b>  |
| Pretrial Attendance Dates (Including Travel) _____  | \$40 @ _____ days    | 1194   |   |
| Detained Dates - Citizen/Visitor In Custody _____   | \$40 @ _____ days    | 1193   |   |
| Detained Dates - Deportable Alien in Custody _____  | \$1 @ _____ days     | 1195   |   |
|   |                      | Total Fees (\$)                                      | <b>40.00</b>  |
| <b>B. Attendance Attestation:</b> I attest that the witness named above attended in the case or matter indicated and is entitled to the statutory allowance for attendance and travel. In proceedings before U.S. Magistrate Judges where more than four witnesses were called, the Magistrate also attests that the approval and certificate of the Litigating Trial Office were first obtained. |                      |  |   |
| Signature <b>[Signature]</b>  |                      | Title of Authorized Government Official <b>ASUSA</b> |   |
|   |                      | Date <b>11/10/05</b>                                 |   |

This form is continued on Page 2

Original - USMS Trial District Office  
Copy 1 - Paying Office  
Copy 2 - DOJ Litigating Trial Office  
Copy 3 - Witness

Previous Editions are Obsolete

Form OBD-3  
Revised 04/04  
USMS 05/05

**Exhibit**

## Fact Witness Voucher

## PART II - Allowances

C. Travel by Carrier (Receipts required if paid by witness) (DO NOT claim if paid by Government)

Check one: ☐ Train ☐ Airplane ☐ Bus

2191

D. Travel by Privately Owned Vehicle: ☐ Auto/Truck/Van ☐ Motorcycle ☐ Airplane

Round trip mileage \_\_\_\_\_ @ \$ \_\_\_\_\_ Per mile = \$ \_\_\_\_\_

Total no. of trips \_\_\_\_\_

Less advance received \$ \_\_\_\_\_

2192

E. Local Transportation & Other Expenses: (e.g., subway, bus, taxi, tolls, all parking, etc.)  
(Receipts required for parking and expenses over \$25.00) (Gratuities are limited to taxi and shuttle services up to 15%.)

List (item and amount)

2193

## F. Meals and Lodging:

1. Travel days (1/2 day's M&IE per day) @ \$ \_\_\_\_\_ x \_\_\_\_\_ Day(s) = \$ \_\_\_\_\_
2. Days away from home (full day's M&IE per day) @ \$ \_\_\_\_\_ x \_\_\_\_\_ Day(s) = \$ \_\_\_\_\_
3. Actual cost of lodging, not to exceed \$ \_\_\_\_\_ @ \$ \_\_\_\_\_ x \_\_\_\_\_ Day(s) = \$ \_\_\_\_\_  
(DO NOT claim if paid by Government)  
(Receipts are required if paid by witness)  
Less advance received \$ \_\_\_\_\_

2194

## G. Witness Certification:

I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me. (If not a citizen, present your Alien Registration Record with this form)

Witness Signature

YANG XIAO JIAN

Date

11. 9. 2005

Alien Registration Record No.

## H. Claim Verification:

Based upon the above information and receipts furnished by the witness, I verify the above information is true and correct to the best of my knowledge.

Signature

J. J. J. J.

Title of Authorized Government Official

Legal Assistant

Date

Net Amount Paid

## PART III - Certification

THIS VOUCHER IS CERTIFIED CORRECT AND PROPER FOR PAYMENT

Signature

Claire J. J. J.

Title of Authorized Certifying Officer

AD

Date

## PART IV - Disbursement (For Finance Office use only)

Accounting Classification

155011

Check/Draft No.

25615

dated

12/01/05

Voucher No.

Signature

Title of Disbursing Officer

Date

The Privacy Act Statement and instructions for completion of this form are contained on Page 3 of this form.

**DEPARTMENT OF REVENUE AND TAXATION****GOVERNMENT OF GUAM**

P.O. Box 20607

Barrigada, Guam 96921

www.guamtax.com

Sole proprietorship

**EXPIRES: JUNE 30, 2008****BUSINESS LICENSE**

SRL NO: 08236

N

Service

ACCOUNT NO. 13-200701573-001

|           |    |    |
|-----------|----|----|
| FEE       | 50 | 00 |
| PENALTY   |    | 00 |
| TOTAL FEE | 50 | 00 |

ISSUED TO:

YANG, XIAO JIAN

DOING BUSINESS AS:

LING LING MASSAGE

TYPE OF LICENSE:

THERAPEUTIC MASSAGE SERVICES

BUSINESS LOCATION:

LOT 5111-R4 STE 201 PACIFICA PLAZA

#677 NORTH MARINE DR UPPER TUMON GUAM

MAILING ADDRESS:

P O BOX 315886

TAMUNING GUAM

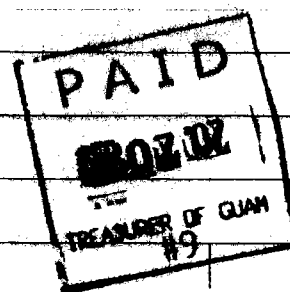
TELEPHONE: HOME

BUSINESS

ZIP: 96931

488-1670

9/07/07



KEEP POSTED IN A CONSPICUOUS PLACE.  
LICENSE MUST BE PRODUCED UPON  
DEMAND TO ANY AUTHORIZED GOV'T  
OFFICIAL.

*Artemio B. Ilagan*

ARTEMIO B. ILAGAN

DIRECTOR OF REVENUE AND TAXATION

**Exhibit 2**

## AFFIDAVIT

We, **XIAO JIAN YANG AND HAI XUAN ZHOU**, depose and say as follows:

1. That we are Husband and Wife.
2. That we have acquired the following described property:

### UNIT NUMBER 5, CHEN CONDOMINIUM

**LOT NUMBER 5101-3**, (Subdivision of Lot Number 5101), (Formerly of Dededo), **MUNICIPALITY OF TAMUNING**, TERRITORY OF GUAM, ESTATE NUMBER 4109, SUBURBAN, as said Lot is marked and designated on **DRAWING NUMBER USS-1-4T70FD**, L.M. Check Number 394 FY 70, as described in that Parcelling Map, dated MAY 19, 1970 and recorded MAY 22, 1970, at the Records Division, Department of Land Management, Government of Guam, under Document Number **94948**.

Registered Land, with the LAST REGISTERED OWNER being **HONG KONG HUNAN CORPORATION**, a Guam Corporation, the OWNER OF RECORD being **CHEN CONDOMINIUM HOMEOWNERS ASSOCIATION**, and the CONDOMINIUM UNIT OWNER **STEPHEN C. and JULIE K. NG, Husband and Wife, Jointly**, and the LAST CERTIFICATE OF TITLE REGISTRATION NUMBER being **95463**.

**AREA: 930 +/- SQUARE METERS**

3. That the above described property is to be held as **Joint Tenants with Rights of Survivorship**.
4. This affidavit is made for the purpose of complying with the requirement of Title 21 Guam Code Annotated § 29158.

Island of Guam, Government of Guam  
Department of Land Management Office of the Recorder

File No. **780411**

Date **07 8 23 251**

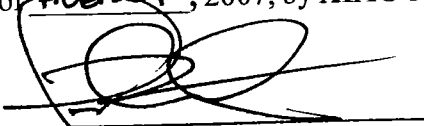
Page **25**

Deposited **[Signature]**

XIAO JIAN YANG  
XIAO JIAN YANG

HAI XUAN ZHOU  
HAI XUAN ZHOU

Subscribed and sworn before me this 21 day of AUGUST, 2007, by XIAO JIAN YANG and HAI XUAN ZHOU.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires:  
E#223.07/EF

JOSE G. CASTRO, JR.  
NOTARY PUBLIC  
In and for Guam, U.S.A.  
My Commission Expires: Sept. 11, 2010  
146 Magatahe St. Maimai Rd. Chalan Pago, GU 96910